

9. (previously presented) A jet engine according to claim 1,  
wherein the fan has a diameter substantially similar to a diameter of the last rotor of the low-pressure turbine.

Claims 10-14 (cancelled)

### **REMARKS**

As a preliminary matter, applicant, through their attorneys, hereby elects the species covered by Fig. 1 and the sub-species covered by Fig. 2, claims 1, 3, 5, and 7. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

#### **Rejection Under 35 U.S.C. §112**

Claims 3, 5, and 7 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, as set forth in paragraphs 2-3 of the Office Action. In view of the claims as presently amended, applicant respectfully traverses this rejection. The claims have been amended to more particularly point out and distinctly claim the subject matter of the invention.

#### **Rejection Under 35 U.S.C. §102**

Claims 1 and 9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Craig, as set forth in paragraphs 4-5 of the Office Action. Applicant respectfully traverses this rejection. Craig discloses an exhaust compressor (16), which is provided in the fluid flow path behind the turbine (13) to establish a pressure at the turbine outlet (17) substantially below atmospheric pressure so that the hot gases from the combustor expand through the turbine to a pressure well below atmospheric pressure, thereby producing power in the turbine. However, the exhaust compressor of Craig is

directed to lowering a pressure at the turbine outlet, and it cannot change a direction of exhaust flow as is provided by the fan of applicant's claimed invention. In other words, the compressor of Craig cannot change the lateral component of velocity of the exhaust gas, passing through the low-pressure turbine, to be directed in an axial direction to the utmost when rotating. This element is completely missing in Craig.

The fan of the claimed invention is shaped so its head portion is in parallel to a tail portion of the last rotor of the turbine and is curved rearwardly as its tail portion so as to change the lateral component of velocity of the exhaust gas into an axial direction to give propulsive force in the exhaust gas. Craig does not teach or suggest such a fan or any other component that may change a flow direction of exhaust gas while rotating together with the turbine.

Because at least one significant element of applicant's claimed invention is missing from the device in Craig, Craig cannot anticipate applicant's claimed invention. Accordingly, applicant asserts that claims 1 and 9 are allowable over Craig, and that claims depending from claim 1, respectively are allowable as depending from an allowable base claims.

Applicant respectfully notes that anticipation focuses on whether a claim reads on the product or process that a prior art reference discloses, not on what the reference broadly "teaches." Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). As the Examiner is aware, each and every element of a claim must be shown in the "four corners" of the reference. "To anticipate a claim, a reference must disclose every element of the challenged claim and enable one skilled in the art to make the anticipating subject matter." PPG Industries v. Guardian Industries, 75 F.3d 1558, 37 U.S.P.Q.2d 1618 (Fed. Cir. 1996).

Closing Remarks

Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

- The Commissioner is hereby authorized to charge any additional fee which may be required
- for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

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By



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